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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUAN GONZALEZ,

Plaintiff,

-against-

PRO QUEST SECURITY INC., M. & M.
SECURITY, INC., TRIAN FUND
MANAGEMENT, L.P., KEN SCHWEBEL,
individually, and NELSON PELTZ,
individually,

Defendants.
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Index No. 1:17-cv-00930 (ER)

**VOLUNTARY STIPULATION OF
PARTIAL DISMISSAL AND
WITHDRAWAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Juan Gonzalez ("Plaintiff") and defendants Nelson Peltz ("Peltz") and Trian Fund Management, L.P. ("Trian"), that Peltz and Trian will be dismissed from the case with prejudice and without fees or costs to any party. It is further stipulated and agreed, by and between Plaintiff and defendant M. & M. Security, Inc. ("M&M"), that Plaintiff shall discontinue with prejudice his Third Cause of Action under the Family and Medical Leave Act as against M&M without fees or costs to any party. The parties also stipulate and agree that the caption in this case will be amended to remove any reference to Peltz and Trian as defendants in this action.

It is also stipulated and agreed that Plaintiff shall file his Second Amended Complaint on or before June 12, 2017. The remaining defendants Pro Quest Security Inc., M&M, and Ken Schwebel will file a pleading responsive to the Second Amended Complaint no later than July 12, 2017.

DATED: June 6, 2017

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*Attorneys for Defendants Nelson Peltz and Triam
 Fund Management, L.P.*

SO ORDERED:DATED: June 9, 2017

The Honorable Edgardo Ramos

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